

**Legislative Council /
Legislative Reference Service**



**Functional Analysis
&
Records Disposition Authority**

**Presented to the
State Records Commission
July 26, 2006**

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Functional and Organizational Analysis of the Legislative Council / Legislative Reference Service

Sources of Information

- Representatives of the Legislative Council / Legislative Reference Service
- Code of Alabama 1975 § 29-6-1 through § 29-6-7 (Legislative Council)
- Code of Alabama 1975 § 29-7-1 through § 29-7-11 (Legislative Reference Service)
- Code of Alabama 1975 § 36-13-5; § 41-21-4; § 41-21-7; § 41-22-6 to § 41-22-7
- Code of Alabama 1975 § 41-22-1 through § 41-22-27 (Administrative Procedure Act)
- Alabama Government Manual (2002), p. 598 and p. 606
- Legislative Reference Service Website
- Legislative Reference Service Publications
- Legislative Reference Service Records Retention Schedules (S-57-1 to S-57-8)

Historical Context

Both the Legislative Council and the Legislative Reference Service were created by Legislative Act No. 152 in 1945. The enabling act is codified in the Code of Alabama 1975 § 29-6-1, *et seq.* (Legislative Council) and § 29-7-1, *et seq.* (Legislative Reference Service). Under the Administrative Procedure Act, passed by the Legislature in 1981, the Legislative Reference Service was given more responsibilities as the official filing agency and repository for agency administrative rules and regulations.

Agency Organization

The Legislative Council consists of the President and President Pro Tempore of the Senate, and six members of the Senate elected by the Senate; the Speaker and Speaker Pro Tempore of the House of Representatives, and six members of the House of Representatives elected by the House of Representatives; the chairs of the Senate's standing committees on finance and taxation, the judiciary, rules, and government affairs; and the chairs of the standing committees on government finance and appropriations, judiciary, rules, and local government of the House. If the Speaker of the House, Speaker Pro Tempore, or President Pro Tempore is also the chair of one of these standing committees, then the vice chair of the committee shall serve on the council in the place of the chair. In addition, the majority and minority leaders of the Senate and the majority and minority leaders of the House are members of the Legislative Council, as well as any members with 24 years of service who does not serve on a standing committee and a member of the Senate appointed by the Committee on Assignments. Members who serve *ex officio* may designate a member of their house to serve on the Legislative Council in their place for a one-year term. The Council holds meetings at least once every three months. The Council may also meet as the joint Committee on Administrative Regulation Review and perform certain monitoring functions under the Administrative Procedure Act. A quorum consists of any nine members, provided that both houses are represented.

The Legislative Reference Service operates under the direction, supervision, and control of an officer designated as the Director of the Legislative Reference Service, who is appointed by the Legislative Council. The director also serves as the Secretary of the Legislative Council. To operate the Legislative Reference Service, the director may hire, either subject to the State Merit System Law or without regard to the provisions thereof, staff members and clerical help deemed necessary. An organizational chart is attached.

Agency Function and Subfunctions

The mandated function of the Legislative Council is to suggest research studies to the Legislative Reference Service and to recommend legislation to the Legislature. The Legislative Reference Service furnishes information, conducts research, and drafts legislation for the Legislative Council, members of the Legislature, the Governor, state agencies, and other units of Alabama government. The Legislative Reference Service serves as the research, reporting, and bill drafting agency for the Legislative Council. Both agencies are primarily involved in carrying out the Policy and Statute Development function of Alabama government.

In the performance of their mandated functions, the two agencies may engage in the following subfunctions:

- **Directing.** The Legislative Council exercises general supervisory authority over the operations of the Legislative Reference Service, which serves as the research, reporting, and bill drafting agency for the council. The council also has the power to appoint the director of the Legislative Reference Service.
- **Drafting.** The Legislative Reference Service, under the direction of the Legislative Council, is responsible for furnishing information, conducting research, and drafting legislation for the Legislative Council, individual members of the Legislature, the Governor, state agencies, and other units of government according to a priority order established by the Code (Code of Alabama 1975 § 29-7-6).
- **Compiling.** The Code of Alabama 1975 § 29-7-6(a)(5-7) authorizes the agency's director to "prepare, when directed by the Legislature, a compilation or code of the statutes of Alabama;" to "act as Code Commissioner in determining the content of the code and any supplements thereto and to prepare an annual codification bill to adopt changes to the code enacted at prior sessions of the Legislature," and to "enter into a printing contract on behalf of the State of Alabama, when approved and directed by the Legislative Council, to publish the official code of the statutes of Alabama."
- **Administering Internal Operations.** A significant portion of the agency's work includes general administrative, financial, and personnel activities performed to support its programmatic areas.

Managing the Agency: Activities include internal office management activities common to most government agencies such as corresponding and communicating;

scheduling; meeting; documenting policy and procedures; reporting; litigating; drafting, promoting, or tracking legislation; publicizing and providing information; managing records; and managing information systems and technology.

Managing Finances: Activities involved in managing finances may include the following: budgeting (preparing and reviewing the budget package, submitting the budget package to the Department of Finance, documenting amendments and performance of the budget); purchasing (requisitioning and purchasing supplies and equipment, receipting and invoicing for goods, and authorizing payment for products received); accounting for the expenditure, encumbrance, disbursement, and reconciliation of funds within the agency's budget through a uniform system of accounting and reporting; authorizing travel; contracting with companies or individuals; bidding for products and services; and assisting in the audit process.

Managing Human Resources: Activities involved in managing human resources may include the following: recruiting and hiring eligible individuals to fill vacant positions within the agency; providing compensation and benefits to employees; supervising employees (evaluating performance, disciplining, granting leave, and monitoring the accumulation of leave); and providing training and continuing education for employees.

Managing Properties, Facilities, and Resources: Activities involved in managing properties, facilities, and resources may include the following: inventorying and accounting for non-consumable property and reporting property information to the appropriate authority; leasing and/or renting offices or facilities; providing for security and/or insurance for property; and assigning, inspecting, and maintaining agency property, including vehicles.

Analysis of Record Keeping System and Records Appraisal of the Legislative Council / Legislative Reference Service

Agency Record Keeping System

The Legislative Council / Legislative Reference Service operates a hybrid system composed of a computer system and a paper record keeping system.

Records Appraisal

The following is a discussion of the two major categories of records created and/or maintained by the Legislative Council / Legislative Reference Service: Temporary Records and Permanent Records.

I. Temporary Records. Temporary records should be held for what is considered to be their active life and disposed of once all fiscal, legal and administrative requirements have been met.

- **Publication Files for the *Alabama Administrative Monthly*.** This series consists of materials and supporting documents used by the staff of the Legislative Reference Service in publishing the *Alabama Administrative Monthly*. Typical records may include Transmittal Sheets for Notice of Intended Action, Notices of Intended Action, copies of proposed rule, and the camera-ready copy of the *Alabama Administrative Monthly*. Many of these records are duplicates of those in the Administrative Procedure Rule Filings, identified as permanent records. This series is referenced only if the required data cannot be located in the Administrative Procedure Rule Filings. A 15-year retention period should allow time to discover any documents which are not present in the Administrative Procedure Rule Filings.

II. Permanent Records. The Government Records Division recommends the following records as permanent.

Directing

- **Meeting Agendas, Minutes, and Packets of the Legislative Council.** The Code of Alabama 1975 § 29-6-3 requires the council to meet at least once each three months. This series contains information on proposed and executed proceedings of the council. In addition to minutes, this series also includes meeting agendas and other supporting or reference documents. The meeting minutes of the council provide important documentation of the council's actions that may not be found elsewhere. **(Bibliographic Title: Meeting Agendas, Minutes, and Packets of the Legislative Council)**

Drafting

- **Legislation Project Files.** This series contains records documenting the drafting of legislation by the staff of the Legislative Reference Service. Typical records located in these files include copies of request forms, copies of draft legislation, notes regarding changes/alterations in draft bills, research and reference materials, correspondence, memoranda, communication data, and other related materials. Based on a study of this series by a group of six subject experts in 2003, these records may be used by researchers to interpret legislative intent, the legislative process, changes to the structure of the Legislature, the impact of special interest groups on legislation, and legislators' voting records. The group also determined that this series may provide supplemental information on civil rights issues, labor legislation, voting legislation, and other political, social, and economic concerns. During the subject experts' review of the files, they did concede that the most recent files (created after 1980) contain less historically valuable information than those files created from 1945 to 1970s. It is recommended that files created after 1980 be maintained for 10 years for reference. **(Bibliographic Title: Legislation Project Files)**
- **Legislation Project Request Sheets.** This series consists of legislation project request sheets completed by the staff of the Legislative Reference Service to track the progress of requests for assistance with legislation drafting. Information available on the sheet includes date requested, agency or sponsor requesting the project, name of staff assigned to the project, short description of the project, name of staff assigned to proofread the draft bill, date the project is completed. The Request Sheets may be used as a ready reference to provide concise summarized information on various legislation projects. **(Bibliographic Title: Legislation Project Request Sheets)**
- **Legislation Project Index Reports.** This series is composed of bound volumes of Legislation Project Index Reports, prepared by the agency staff as a ready reference to Legislation Project Files. Each index report page contains legislation title, project number, and document number for each legislation project. The index reports are compiled in chronological order by year. This series should be preserved as it facilitates access to the Legislation Project Files. **(Bibliographic Title: State Publications)**

Compiling

- ***Alabama Administrative Monthly (Master Copy).*** The *Alabama Administrative Monthly* is published by the Legislative Reference Service pursuant to the Code of Alabama 1975 § 41-22-7(f). The *Monthly* contains notices by state agencies of the intent to adopt, amend, or repeal rules. The notices include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved. The text of the proposed new, amended, or repealed rule is not generally included in the notice. Certifications of rules to the Legislative Reference Service upon final adoption are also part of the contents of the *Monthly*. **(Bibliographic Title: State Publications)**

- **Administrative Procedure Rules Filings.** All state agencies whose operations affect the rights and duties of the public are required to maintain an Administrative Code (Code of Alabama 1975 § 41-22-2). Prior to the adoption, amendment, or repeal of any rule, the agency must first file its intended action with the Legislative Reference Service, so that the proposed rule can be published in the *Alabama Administrative Monthly*. This series is composed of files proposing, revising, or deleting rules from the Administrative Code. Typical records found in these files are Transmittal Sheets for Notice of Intended Action, Notices of Intended Action, Certificates of Peremptory Rules, Certifications of Administrative Rules, copies of the proposed rules and the final adopted rule, transmittal letters, and correspondence. These files document all the steps an agency must complete to adopt a rule and to have it entered into the Administrative Code. This series should be retained as permanent records documenting the process of creating administrative rules by state agencies. **(Bibliographic Title: State Publications)**

- **Administrative Code Books and Superseded Pages (Master Copy).** This series consists of the master copy of the Administrative Code Books. These volumes contain the rules and regulations of all state agencies that are required by law to adopt and publish for reference. Information available in the Administrative Code Books includes the statutory authority for the agency, the purpose of the rules, the history of each rule, and the text of the rule. Each time a rule is adopted, amended, or deleted, superseded pages are removed from the books and placed in another file for reference. Superseded pages should be maintained as they document agency rules that were in effect at different time periods. Their preservation also allows the history of a particular rule to be traced through its amendments. **(Bibliographic Title: State Publications)**

Administering Internal Operations

- **Administrative Files of the Director.** This series which, although consisting of correspondence of the director, also contains other records documenting important activities of the agency. These files should be maintained permanently to document the role of the director in managing the agency. **(Bibliographic Title: Administrative Files)**

- **Website.** The agency has a website at www.lrs.state.al.us. Information on the website includes the agency's mission statement, history, duties, staff and contact directory, and various publications. The website should be preserved as it serves as an important medium for communication with the public. **(Bibliographic Title: Website)**

- **Informational and Procedural Publications.** The Legislative Reference Service prepares various informational and procedural publications for reference. These publications may include, but are not limited to, Instruction Manual and Drafting Style Manual for Preparing Rules and Notices for Publication in the *Alabama Administrative Monthly* and the Alabama Administrative Code, Drafting Style Manual for Bills, and various reports, summaries, and indexes. They should be preserved as part of the State Publication Collection. **(Bibliographic Title: State Publications)**

- **Inventory Lists.** The Code of Alabama 1975 § 36-16-8[1] requires that “... All [state agency] property managers shall keep at all times in their files a copy of all inventories submitted to the Property Inventory Control Division, and the copies shall be subject to examination by any and all state auditors or employees of the Department of Examiners of Public Accounts.” These files need to be maintained in the agency’s office.

Permanent Records List

Legislative Council / Legislative Reference Service

Directing

1. Meeting Agendas, Minutes, and Packets of the Legislative Council

Drafting

1. Legislation Project Files
2. Legislation Project Request Sheets
3. Legislation Project Index Reports

Compiling

1. *Alabama Administrative Monthly* (Master Copy)
2. Administrative Procedures Rules Filings
3. Administrative Code Books and Superseded Pages (Master Copy)

Administering Internal Operations

1. Administrative Files of the Director
2. Website
3. Informational and Procedural Publications
4. Inventory Lists*

*indicates records that ADAH anticipates will remain in the care and custody of the creating agency.

ADAH staff members are available to work with agency staff in determining the best location and storage conditions for the long-term care and maintenance of permanent records.

Legislative Council / Legislative Reference Service Records Disposition Authority

This Records Disposition Authority (RDA) is issued by the State Records Commission under the authority granted by the Code of Alabama 1975 § 41-13-5 and § 41-13-20 through 21. It was compiled by the Government Records Division, Alabama Department of Archives and History (ADAH), which serves as the commission's staff, in cooperation with representatives of the Legislative Council / Legislative Reference Service. The RDA lists records created and maintained by the Legislative Council / Legislative Reference Service in carrying out its mandated functions and subfunctions. It establishes retention periods and disposition instructions for those records and provides the legal authority for the Legislative Council / Legislative Reference Service to implement records destruction.

Alabama law requires public officials to create and maintain records that document the business of their offices. These records must be protected from "mutilation, loss, or destruction," so that they may be transferred to an official's successor in office and made available to members of the public. Records must also be kept in accordance with auditing standards approved by the Examiners of Public Accounts (Code of Alabama 1975 § 36-12-2, § 36-12-4, and § 41-5-23). For assistance in implementing this RDA, or for advice on records disposition or other records management concerns, contact the ADAH Government Records Division at (334) 242-4452.

Explanation of Records Requirements

- This RDA supersedes any previous records disposition schedules governing the retention of the Legislative Council / Legislative Reference Service' records. Copies of superseded schedules are no longer valid and should be discarded.
- The RDA establishes retention and disposition instructions for records listed below, regardless of the medium on which those records may be kept. Electronic mail, for example, is a communications tool that may record permanent or temporary information. As for records in any other format, the retention periods for e-mail records are governed by the requirements of the subfunctions to which the records belong.
- Some temporary records listed under the Administering Internal Operations subfunction of this RDA represent duplicate copies of records listed for long-term or permanent retention in the RDAs of other agencies.
- Certain records and records-related materials need not be retained as records under the disposition requirements in this RDA. Such materials include: (1) duplicate record copies that do not require official action, so long as the creating office maintains the original record for the period required; (2) catalogs, trade journals, and other publications received that require no action and do not document government activities; (3) stocks of blank stationery, blank forms, or other surplus materials that are not subject to audit and have become obsolete; (4) transitory records, which are temporary records created for short-term, internal purposes that may include, but are not limited to: telephone call-back

messages; drafts of ordinary documents not needed for their evidential value; copies of material sent for information purposes but not needed by the receiving office for future business; and internal communications about social activities; and (5) honorary materials, plaques, awards, presentations, certificates, and gifts received or maintained by the agency staff.. They may be disposed of without documentation of destruction.

Records Disposition Requirements

This section of the RDA is arranged by subfunctions of the Legislative Council / Legislative Reference Service and lists the groups of records created and/or maintained by the agency as a result of activities and transactions performed in carrying out these subfunctions. The agency may submit requests to revise specific records disposition requirements to the State Records Commission for consideration at its regular quarterly meetings.

Directing

MEETING AGENDAS, MINUTES, AND PACKETS OF THE LEGISLATIVE COUNCIL
Disposition: PERMANENT RECORD.

Printouts of Acknowledgment from the Secretary of State Relating to Notices of Meetings Posted by State Agencies
Disposition: Temporary Record. Retain 3 years.

Drafting

LEGISLATION PROJECT FILES
Disposition: PERMANENT RECORD.

LEGISLATION PROJECT REQUEST SHEETS
Disposition: PERMANENT RECORD.

LEGISLATION PROJECT INDEX REPORTS
Disposition: PERMANENT RECORD.

Compiling

ALABAMA ADMINISTRATIVE MONTHLY (MASTER COPY)
Disposition: PERMANENT RECORD.

ADMINISTRATIVE PROCEDURE RULES FILINGS
Disposition: PERMANENT RECORD.

ADMINISTRATIVE CODE BOOKS AND SUPERSEDED PAGES (MASTER COPY)
Disposition: PERMANENT RECORD.

Publication Files for the *Alabama Administrative Monthly*

Disposition: Temporary Record. Retain 15 years.

Administering Internal Operations: Managing the Agency

ADMINISTRATIVE FILES OF THE DIRECTOR

Disposition: PERMANENT RECORD.

WEBSITE

Disposition: PERMANENT RECORD. Preserve a complete copy of website annually or as often as significant changes are made.

INFORMATIONAL AND PROCEDURAL PUBLICATIONS

Disposition: PERMANENT RECORD.

Routine Correspondence

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Mailing/Contact Lists

Disposition: Temporary Record. Retain for useful life.

Administrative Reference Files

Disposition: Temporary Record. Retain for useful life.

Records documenting the implementation of the agency's approved RDA (copies of transmittal forms to Archives or the State Records Center, evidence of obsolete records destroyed, and annual reports to the State Records Commission)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Copy of RDA

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the RDA is superseded.

System Documentation (hardware/software manuals and diskettes, warranties)

Disposition: Temporary Record. Retain documentation of former system 3 years after the end of the fiscal year in which the former hardware and software no longer exists in the agency and all permanent records have been migrated to a new system.

Administering Internal Operations: Managing Finances

Records documenting the preparation of a budget request package and reporting of the status of funds, requesting amendments of allotments, and reporting program performance

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the requisitioning and purchasing of supplies and equipment, receipting and invoicing for goods, and authorizing payment for products

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records of original entry such as journals, registers, and ledgers; and records of funds deposited outside the state treasury, including bank statements, deposit slips, and canceled checks

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting requests for authorization from supervisors to travel on official business and other related materials, such as travel reimbursement forms and itineraries

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting contracts for services or personal property

Disposition: Temporary Record. Retain 6 years after expiration of the contract (Code of Alabama 1975 § 6-2-34).

Invoices Sent

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Invoices Received

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting the bid process, including requests for proposals and unsuccessful responses

- a. Original Bid Records Maintained in the Purchasing Office of the Agency for Contracts over \$7500
Disposition: Temporary Record. Retain 7 years after the end of the fiscal year in which the bids were opened.
- b. Duplicate copies of bid (where originals are maintained by the Finance Department - Division of Purchasing)
Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the bids were opened.

Administering Internal Operations: Managing Human Resources

Records documenting job recruitment

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Position Classification Files

Disposition: Temporary Record. Retain 3 years after position is reclassified.

Records documenting job description

Disposition: Temporary Record. Retain until superseded.

Certification/Personnel Transaction Files

Disposition: Temporary Record. Retain 6 years after the end of the fiscal year in which the records were created.

Records documenting application for employment

Disposition: Temporary Record. Retain 3 years after request.

Records documenting an employee's work history - generally maintained as a case file

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Records documenting payroll (e.g. pre-payroll report, payroll check registers)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting payroll deduction authorizations

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting payroll deductions for tax purposes

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting employees' daily and weekly work schedules

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting an employee's hours worked, leave earned, and leave taken (including time sheets)

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting sick leave donations

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Records documenting final leave status

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Records documenting verification of accuracy of State Personnel Department records

Disposition: Temporary Record. Retain for useful life.

Records documenting Equal Employment Opportunity (Code of Federal Regulations, Title 29)

a. Compliance Records

Disposition: Temporary Record. Retain 3 years after the close of the program year.

b. Complaint Records

Disposition: Temporary Record. Retain 3 years from the date of resolution of the complaints.

State Employees Injury Compensation Trust Fund Files

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Worker Compensation Injury and Settlement Reports

Disposition: Temporary Record. Retain 12 years after the end of the fiscal year in which the transaction occurred (Code of Alabama 1975 § 25-5-4).

Employee Flexible Benefits Plan Files (applications and correspondence)

Disposition: Temporary Record. Retain 6 years after termination of participation in program.

Records documenting the State Employee Injury Compensation Trust Fund (SEICTF) Claims

Disposition: Temporary Record. Retain 6 years after separation of the employee from the agency.

Employee Administrative Hearing Files

Disposition: Temporary Record. Retain 6 years after separation of employee from the agency.

Administering Internal Operations: Managing Properties, Facilities, and Resources**INVENTORY LISTS**

Disposition: PERMANENT RECORD. Retain in office (Code of Alabama 1975 § 36-16-8[1]).

Letters of Transmittal

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Agency Copies of Transfer of State Property Forms (SD-1)

Disposition: Temporary Record. Retain 3 years after end of the fiscal year in which the records were created.

Property Inventory Cards and/or Computer Files

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the records were created.

Receipts of Responsibility for Property

Disposition: Temporary Record. Retain until return of item to property manager.

Records documenting the use, maintenance, ownership, insurance, and disposition of vehicles owned by the agency

Disposition: Temporary Record. Retain 3 years after the end of the fiscal year in which the vehicle is removed from the property inventory.

Insurance Policies / Risk Management Records

Disposition: Temporary Record. Retain 6 years after termination of policy or membership.

Requirement and Recommendations for Implementing the Records Disposition Authority (RDA)

Under the Code of Alabama 1975 § 41-13-21, “no state officer or agency head shall cause any state record to be destroyed or otherwise disposed of without first obtaining approval of the State Records Commission.” This Records Disposition Authority constitutes authorization by the State Records Commission for the disposition of the records of the Legislative Council / Legislative Reference Service (hereafter referred to as the agency) as stipulated in this document.

One condition of this authorization is that the agency submit an annual Records Disposition Authority Implementation Report on agency records management activities, including documentation of records destruction, to the State Records Commission in July of each year. In addition, the agency should make every effort to establish and maintain a quality record-keeping program through the following activities:

- The agency should designate a records liaison, who is responsible for: ensuring the development of quality record keeping systems that meet the business and legal needs of the agency, coordinating the transfer and destruction of records, ensuring that permanent records held on alternative storage media (such as microforms and digital imaging systems) are maintained in compliance with national and state standards, and ensuring the regular implementation of the agency’s approved RDA.
- Permanent records in the agency’s custody should be maintained under proper intellectual control and in an environment that will ensure their physical order and preservation.
- Destruction of temporary records, as authorized in this RDA, should occur agency-wide on a regular basis--for example, after the successful completion of an audit, at the end of an administration, or at the end of a fiscal year. Despite the RDA’s provisions, no record should be destroyed that is necessary to comply with requirements of the state Sunset Act, audit requirements, or any legal notice or subpoena.
- The agency should maintain full documentation of any computerized record-keeping system it employs. It should develop procedures for: (1) backing up all permanent records held in electronic format; (2) storing a back-up copy off-site; and (3) migrating all permanent records when the system is upgraded or replaced. If the agency chooses to maintain permanent records solely in electronic format, it is committed to funding any system upgrades and migration strategies necessary to ensure the records’ permanent preservation and accessibility.

The staff of the State Records Commission or the Examiners of Public Accounts may examine the condition of the permanent records maintained in the custody of the agency and inspect records destruction documentation. Government Records Division archivists are available to instruct the agency staff in RDA implementation and otherwise assist the agency in implementing its records management program.

The State Records Commission adopted this records disposition authority on July 26, 2006.

Edwin C. Bridges, Chairman, by Tracey Berezansky
State Records Commission

Date

Receipt acknowledged:

Jerry Bassett, Director
Legislative Reference Service

Date